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6 Attorney for Defendant
7 NOU CHUNG HER
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10 IN THE UNITED STATES DISTRICT COURT
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12 EASTERN DISTRICT OF CALIFORNIA
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15 UNITED STATES OF AMERICA,

Case No. 1:24-cr-00107-KES-BAM

16 Plaintiff,

STIPULATION TO CONTINUE
HEARING; AND ORDER

17 v.

18 NOU CHUNG HER,

Date: May 12, 2025

19 Time: 9:30 a.m.

20 Judge: Hon. Kirk E. Sherriff

21 Defendant.
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23 **IT IS HEREBY STIPULATED** by and between the parties, through their respective
24 counsel, Calvin Lee, Assistant United States Attorney, counsel for plaintiff, and Eric V. Kersten,
25 counsel for defendant Nou Chung Her, that the status conference set for May 9, 2025, before the
Honorable Barbara A. McAuliffe may be vacated, and the matter reset for May 12, 2025, before
the Honorable Kirk E. Sherriff.

26 On March 12, 2025 Mr. Her was referred for a psychological evaluation pursuant to 18
27 USC 4241. A status conference regarding the examination was set for May 9, 2025, in magistrate
court. [Doc. 35-36.] The examination has been completed and the evaluation concluded Mr. Her
is competent. [Doc. 39.] The defense does not intend to contest that conclusion and it is
anticipated Mr. Her will admit supervised release violations at the upcoming hearing. Due to
lingering concerns regarding Mr. Her's competency the defense requests that the admission occur
in district court. The government does not object to this request.

1 Because this matter is a supervised release violation the Speedy Trial Act does not apply
2 and there is no need to exclude time.

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4 Respectfully submitted,

5 MICHELE BECKWITH
6 Acting United States Attorney

7 DATED: May 6, 2025

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/s/ *Calvin Lee* _____
CALVIN LEE
Assistant United States Attorney
Attorney for Plaintiff

HEATHER E. WILLIAMS
Federal Defender

DATED: May 6, 2025

/s/ *Eric V. Kersten* _____
ERIC V. KERSTEN
Assistant Federal Defender
Attorney for Defendant
NOU CHUNG HER

ORDER

IT IS SO ORDERED. The status conference set for May 9, 2025, at 2:00 p.m. before
Magistrate Judge Barbara A. McAuliffe is vacated. An admission hearing is set for **May 12,
2025, at 9:30 a.m. before the District Judge Kirk E. Sherriff.**

IT IS SO ORDERED.

Dated: May 6, 2025

/s/ *Barbara A. McAuliffe*
UNITED STATES MAGISTRATE JUDGE